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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/683,762	02/11/2002	Herbert Lyvim Lacey III	56162.000334	5577

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HUNTON & WILLIAMS LLP  
INTELLECTUAL PROPERTY DEPARTMENT  
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WASHINGTON, DC 20006-1109

EXAMINER
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EL HADY, NABIL M

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 09/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Response to Rule 312 Communication**

**Application No.**

09/683,762

**Applicant(s)**

LACEY, HERBERT LYVIRN

**Examiner**

Nabil M. El-Hady

**Art Unit**

2152

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

1. ☒ The amendment filed on 21 January 2005 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

*the patentable feature of the invention, as stated in the interview summary, is whether the data in the data buffer constitutes a complete message is determined not by looking to just at the current frame, but rather by concatenating a subsequently received frame to already received frames in the data buffer and determining after concatenating and based on the concatenated data if the data in the buffer constitutes a complete message. The limitation "determining whether the concatenated data in the data buffer constitutes a complete message" has many interpretations and gives broader scope than "determining, based on the concatenated data, whether the data buffer constitutes a complete message. The determining step in the previous one can be based on many different criterion, one of them, specifically, "determining, based on the concatenated data" is considered allowable subject matter and is used to amend original claims 1, 6, and 11. Interpretation of original claims 2, 7, and 12, helped articulate the allowed subject matter and amend original claims 1, 6, and 11 accordingly.*

*N. El-Hady*

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Art Unit: 2152